

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-14 are now pending in this application. Claims 6-13 have been withdrawn from consideration.

Rejection under 35 U.S.C. § 112

Claims 4 and 5 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant submits that the amendments to the claims render this rejection moot. Reconsideration and withdrawal of this rejection is respectfully requested.

Double Patenting

Claims 1-5 and 14 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over (a) claims 1, 3, and 6 of Application No. 11/079,270; (b) claims 1 and 3-6 of Application No. 11/079,377; (c) claims 1, 2, and 7 of Application No. 11/722,275; (d) claims 1 and 4-6 of Application No. 11/578,295; (e) claims 1-6 of Application No. 10/586,533; (f) claims 1 and 4-6 of Application No. 10/584,346; and (g) claims 1-3 and 7 of Application No. 10/584,243.

Although Applicant does not necessarily agree with the appropriateness of these rejections, a Terminal Disclaimer is included herein to advance prosecution of this application.

Applicant submits that the Terminal Disclaimer submitted with this response overcomes the various double patenting rejections set forth above. Applicant respectfully requests withdrawal of these rejections.

Conclusion

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 19, 2009

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